

Message

From: Spangler, Matthew [Spangler.Matthew@epa.gov]
Sent: 7/11/2019 12:37:21 PM
To: Laumann, Sara [Laumann.Sara@epa.gov]; Wauters, Patrick [wauters.patrick@epa.gov]
CC: Law, Donald [Law.Donald@epa.gov]; Carrillo, Andrea [Carrillo.Andrea@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]
Subject: RE: Briefing paper for ND Coyote Station issue

Ex. 5 Deliberative Process (DP)

Matt Spangler
U.S. EPA/ OAQPS/ AQPD/ OPG
(919) 541-0327 | spangler.matthew@epa.gov

From: Laumann, Sara
Sent: Wednesday, July 10, 2019 6:41 PM
To: Wauters, Patrick <wauters.patrick@epa.gov>; Spangler, Matthew <Spangler.Matthew@epa.gov>
Cc: Law, Donald <Law.Donald@epa.gov>; Carrillo, Andrea <Carrillo.Andrea@epa.gov>; Schramm, Daniel <Schramm.Daniel@epa.gov>
Subject: RE: Briefing paper for ND Coyote Station issue

Just a note that I will review and add any suggestions tomorrow/Friday. I am briefing my management about these issues Thursday morning, and am waiting until after that to add any suggestions. Thanks!

Sara L. Laumann, Senior Assistant Regional Counsel
Media Law Counseling Section, Legal Counseling & FOIA Branch, Office of Regional Counsel, EPA Region 8 (Mountains & Plains)

Phone: (303) 312-6443
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From: Wauters, Patrick
Sent: Wednesday, July 10, 2019 4:27 PM
To: Spangler, Matthew <Spangler.Matthew@epa.gov>
Cc: Laumann, Sara <Laumann.Sara@epa.gov>; Law, Donald <Law.Donald@epa.gov>; Carrillo, Andrea <Carrillo.Andrea@epa.gov>; Schramm, Daniel <Schramm.Daniel@epa.gov>
Subject: RE: Briefing paper for ND Coyote Station issue

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Spangler, Matthew
Sent: Wednesday, July 10, 2019 9:37 AM
To: Wauters, Patrick <wauters.patrick@epa.gov>
Cc: Laumann, Sara <Laumann.Sara@epa.gov>; Law, Donald <Law.Donald@epa.gov>; Carrillo, Andrea <Carrillo.Andrea@epa.gov>; Schramm, Daniel <Schramm.Daniel@epa.gov>
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Ex. 5 Deliberative Process (DP)

“At most, the required Annual Mining Plan provisions on "planned mine progression, location of infrastructure, and capital project locations" might be construed as decisions on "the construction or modification of equipment that will result in emissions," see Meadowbrook Guidance at 9, but the LSA does not provide for any review of how the Mine will meet its environmental obligations for those projects. See LSA 5.2.2(b)(i). Moreover, Otter Tail does not have authority over the manner in which Mine emission units operate; the operation of pollution controls (which, for mining activities, largely consists of dust suppression practices); or monitoring, testing, recordkeeping, or reporting.”

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From: Wauters, Patrick
Sent: Tuesday, July 09, 2019 9:23 AM
To: Spangler, Matthew <Spangler.Matthew@epa.gov>
Subject: RE: Briefing paper for ND Coyote Station issue

Great, thanks for the feedback

From: Spangler, Matthew
Sent: Monday, July 8, 2019 1:24 PM
To: Wauters, Patrick <wauters.patrick@epa.gov>
Subject: RE: Briefing paper for ND Coyote Station issue

Thanks for sharing Patrick, it looks good to me. I added two comment bubbles with some minor thoughts.

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From: Wauters, Patrick
Sent: Monday, July 08, 2019 12:53 PM
To: Laumann, Sara <Laumann.Sara@epa.gov>; Law, Donald <Law.Donald@epa.gov>; Spangler, Matthew <Spangler.Matthew@epa.gov>; Carrillo, Andrea <Carrillo.Andrea@epa.gov>; Schramm, Daniel

<Schramm.Daniel@epa.gov>

Cc: Fallon, Gail <fallon.gail@epa.gov>

Subject: Briefing paper for ND Coyote Station issue

Hi all,

Gail asked me to put together a briefing paper for Carl; he wants another internal call before we all talk with ND. Here is what I've put together so far, based off of Matt's email responses to ND's latest draft source determination and RTC and some of our previous documents. Please weigh in with edits/comments when you get a chance.

https://usepa.sharepoint.com/:w:/r/sites/R8_Work/air/ccccrندر/ layouts/15/Doc.aspx?sourcedoc=%7B1E6E3AAB-A291-44DD-99E2-BDD77768003C%7D&file=Briefing%20Paper%20for%20ND%20Coyote%20Station%20TV%20Permit%20Renewal%207-5-2019.docx&action=default&mobileredirect=true

Thanks,

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